

# **EXHIBIT 1**

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I. **Preservation Questions Regarding The New York Times's [REDACTED] Data Repository**

1. The Times has represented that (i) the volume of available data on [REDACTED] and (ii) there are [REDACTED] individual requests stored in [REDACTED]. Please confirm these figures are accurate, and if not, please provide updated figures.
2. Are each of the [REDACTED] individual requests a single user prompt and response, a single session containing potentially several prompts and responses, or something else?
3. Beside [REDACTED], are there other interfaces or methods used by Times employees, in their business capacity, to call on OpenAI's GPT models, whether via an API or via products such as ChatGPT or Copilot?
4. Is there any database or repository besides [REDACTED] logs reflecting information regarding Times employees' use of the OpenAI models at issue, the OpenAI products at issue, or the Microsoft products at issue?
5. Please identify the data fields included in the [REDACTED] data and explain the information reflected by each field.
6. Please identify the number of individual user IDs in the [REDACTED] data.
7. Please describe the nature of the [REDACTED] data and how it is stored (e.g., in a local database or cloud-based storage), including all file types and extensions (e.g., JSON/CSV), whether any data fields are encrypted/redacted, and whether the data is in a structured or unstructured format.
8. Does the [REDACTED] data contain the full contents of the user prompts and LLM responses? If not, where is this other data stored and maintained?
9. Does the [REDACTED] data indicate when system or intermediary prompts (e.g., system messages, guardrails) are injected automatically before the model is invoked?
10. When did the Times implement a retention policy for [REDACTED] data?
11. Have any [REDACTED] prompts been deleted since the Times began considering litigation against OpenAI?
12. How many [REDACTED] prompts have been deleted since the Times began considering litigation against OpenAI?
13. Are any [REDACTED] prompts that have been deleted since the Times began considering litigation against OpenAI recoverable?

14. Please identify The Times's internal departments, teams, or groups that use [REDACTED] (e.g., GenAI News Core, Machine Learning Platforms team, Research & Development, Newsroom, XFun, Legal, etc.).
15. Please describe or produce your data retention policies for [REDACTED] log data. Who has access to view, search, or export the log data, and what audit log exists of that data?
16. If an employee departs The Times, are the data logs in [REDACTED] associated with that employee subject to The Times's regular data retention policies for former employees?

II. **Times Employees that OpenAI requests Confirmation of Preservation of [REDACTED] data and chat counts.**

OpenAI seeks confirmation of preservation and (to the extent not already provided) counts for [REDACTED] chats stored in [REDACTED] for the following individuals, which include employees listed in The Times's Rule 26 disclosures, the leadership of the Times's XFun group (which the Times has tasked with GenAI-related work), and other witnesses where OpenAI's investigation reflects that they may have relevant information. By requesting counts for these individuals, OpenAI seeks to better understand the nature of the [REDACTED] data the Times has retained.

1. A.G. Sulzberger
2. Meredith Levien
3. William Bardeen
4. Rebecca Grossman-Cohen
5. Sam Felix
6. Hannah Poferl
7. Alex Hardiman
8. Chris Wiggins
9. Gordon Diggs
10. Jason Sobel
11. Zach Seward
12. Christine Liang
13. David Gurian-Peck
14. Barrett Sheridan
15. Ben Frumin
16. Leilani Han
17. David Perpich
18. Joy Robins
19. Greg Miller
20. Amy Weisenbach
21. Hannah Yang

22. Diane Brayton  
23. Dylan Freedman  
24. Rubina Fillion  
25. Duy Nguyen  
26. Juliana Castro Varón  
27. Bailey Evans  
28. Andrew Ross Sorkin  
29. Kevin Roose  
30. Simon Hicks  
31. Kendell Timmers  
32. Steve Duenes  
33. Matthew Ericson  
34. Jonathan Galinsky  
35. David Grizzanti  
36. Brian Hamman  
37. Katherine Chang  
38. Thompson Marzagao  
39. Clarissa Matthews  
40. Brandon Root  
41. Jeff Sisson  
42. Rohit Supekar  
43. Jordan Vita  
44. Rebecca Norris  
45. Jonathan Knight  
46. Linda Li  
47. Stephanie Preiss  
48. Camilla Velasquez  
49. Georg Petschnigg  
50. Emily Withrow  
51. Mohit Lohia  
52. Jennifer Perez  
53. Deanna Sousa  
54. Ben Cotton  
55. Lenny Beckroda